

**MAYOR AND COUNCIL  
REGULAR MEETING  
December 18, 2012  
7:00 P.M.**

**MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975**

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 3, 2012 and was placed on the Official Bulletin Board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 11:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place within ten (10) days of this meeting. Please turn off all cell phones for the duration of this Meeting.

**ROLL CALL**

Council Members:

Councilman Thornton – Present	Councilwoman Thistleton – Present
Councilwoman Kuncken – Present	Councilman Graham – Present
Councilman Depew – Present	Councilman Benson – Present

Mayor Maio – Present

**CLOSED SESSION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

1 Contract – DPW

3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

On motion by Councilman Benson, seconded by Councilman Depew, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 7:01 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 7:20 P.M. with all present.

A 40 minute recess was called. The meeting reconvened at 8:00 P.M.

**SALUTE TO COLORS**

Mayor Maio invited all those present to stand in a salute to colors.

## **CITIZENS TO BE HEARD**

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Seeing no one wishing to speak, Mayor Maio closed the public portion of the meeting.

## **MINUTES FOR APPROVAL**

Mayor Maio read aloud the list of minutes being presented for approval:

November 27, 2012 Regular Business Meeting & Closed Session

On motion by Councilman Graham, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the above listed minutes were approved.

## **CORRESPONDENCE (List Attached)**

On motion by Councilman Graham, seconded by Councilwoman Thistleton and unanimously carried by voice vote the list of correspondence was accepted and ordered placed on file.

## **ADMINISTRATOR'S REPORT**

Administrator McNeilly distributed a packet of information regarding the furniture choices for the Council Chambers. Administrator McNeilly stated that there are three sample chairs for consideration. Whatever style of chair is selected there will be eight ordered and they should be high backs which will look better with the new higher dais. The two companion chairs that will be placed at the table will be lower back chairs so that the dais is not obstructed. Councilman Graham asked how the Land Use Board and other boards will be handled because they need more than eight chairs. Administrator McNeilly replied there will be eight chairs at the dais and two extra chairs kept in the corners of the dais that can be pulled forward when needed. The audience will have 28 chairs.

Administrator McNeilly stated that the pricing for the chairs prior to the 40% discount is as follows: the blue chair is \$900, the white chair is \$619.80 and the black chair is \$370. After applying the discount, the cost for the black chair is \$222.10. Councilman Graham stated that while he is in favor of a \$220 chair he is concerned about how long it will last. Administrator McNeilly agrees but is of the opinion that these chairs will not get a lot of wear and tear. Councilman Thornton asked if there is a warranty on the chairs. Administrator McNeilly stated that there may be a one year warranty but he has ordered from this company in the past and some items were fixed or replaced after three and four years. Administrator McNeilly is confident in recommending the black chairs, not just for the price, but he is of the opinion that they are serviceable, have a good rugged material and no chrome. The Governing Body agreed to purchase the black high back chairs.

Administrator McNeilly provided pictures of a stackable chair that is padded on the top and bottom as his choice for the audience chairs. On Election Day the chairs need to be stacked and moved out of the Council Chambers. In the past, DPW had to put the chairs into a truck and store them and then return them to Borough Hall after the election. Mayor Maio stated that she has purchased chairs from this company in the past which were stackable and they were very sturdy. Administrator McNeilly stated the wood will be similar to what is on the dais. Councilwoman Kuncken suggested that the carpet sample be referenced when choosing the fabric for the chairs. Administrator McNeilly stated that the pricing for the sterling stack chair, without arms, is \$126.15 each. Councilwoman Kuncken asked if the funds are available for this purchase. Administrator McNeilly confirmed that the money is available and this is the last furniture purchase for this project. Mayor Maio asked Administrator McNeilly to provide the Governing Body with an update on the funds. Administrator McNeilly is of the opinion that two tables should be ordered instead of one long table which will allow for more flexibility when setting up for different types of functions. Councilwoman Kuncken asked where the old table is. Administrator McNeilly stated that the old table fell apart when it was moved. The wood choice would be the same as the trim and the audience chairs and the size is 30 x 60. The Governing Body selected the "Lincoln" table. Mayor Maio asked Administrator McNeilly to obtain a quote

for that model. Councilman Graham asked the cost of the furniture. Administrator McNeilly stated the cost to furnish the entire room is approximately \$11,300. This furniture and the furniture in the Police Department will last for a very long time.

Councilman Graham asked what will become to the current furniture. Mayor Maio suggested the furniture be sold. There is a market for used furniture. Councilman Benson stated there are also charities such as Dress For Success that may have a conference room and could make use of the furniture. The Governing Body agreed that something should be done with the furniture. Mayor Maio asked Mr. Stein if the Borough could sell the chairs. Mr. Stein replied that an ad can be put in the newspaper stating that the Borough is accepting sealed bids for a certain number of chairs which can be inspected with the bid being due by the date set for the bid opening. The other option would be to auction them off. Administrator McNeilly stated that for the next phase of work to be done a minimal amount of furniture will be left in the room. The carpeting has been ordered. Mayor Maio asked Administrator McNeilly to provide a quote for tables, the fabric selection for the stackable chairs and to proceed with the order for the black high back chairs. Administrator McNeilly stated that he may wait to order all of the chairs at one time.

Administrator McNeilly stated that Lee Purcell called to inform the Borough that a DEP project number has been assigned.

Mayor Maio asked if the leaf pick up is completed. Administrator McNeilly replied that the leaf and branch collections are done. The leaf machine has been winterized along with the chipper. Councilman Benson asked if brush can be brought to the DPW yard. Administrator McNeilly confirmed that the DPW has been accepting brush since the first of the month. Administrator McNeilly stated that the Borough did not experience the level of debris that we did last October.

## **COUNCIL COMMITTEE REPORTS**

### **Public Safety – Councilwomen Kuncken/Thistleton**

**Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management** – Councilwoman Kuncken reported that the Fire Department, for the month of November, answered 18 calls, 4 mutual aid calls, 3 drills and held 1 meeting for a total of 24 activities. This totaled 339.6 hours volunteered which also included the Santa Claus runs.

Councilwoman Kuncken reported that the Police Department had 125 moving violations and the citation report by violation totaled 56.

Councilwoman Kuncken reported that the Ambulance Corp had a total of 66 in town calls, 31 in Stanhope, 33 in Netcong, 2 standbys, 1 was mutual aid to Hopatcong. There were a total of 46 patients, 36 trips to the hospital, 1,014 miles traveled and 231 hours and 2 minutes of volunteer time. The Ambulance Corp answered 30 of 31 requests for an ambulance in Stanhope. They also provided a Hurricane Sandy report for the time period of October 28<sup>th</sup> to November 12<sup>th</sup>. During that 16 day period there was a total of 55 calls. A detailed breakdown of operations was given. The Ambulance Squad suspended responses to non-emergencies from 10:00 PM on October 29<sup>th</sup> until 5:00 AM on Tuesday October 30<sup>th</sup> due to extremely dangerous conditions. They did respond to 2 calls during that time period. They traveled 795 miles for a total of 200 hours during that time. Councilwoman Kuncken stated that the Ambulance Corp asked her to report that the agreements for Stanhope and Netcong have been signed by all parties, the deposit has been made and the ambulance has been ordered. Delivery is expected early April.

**Finance & Administration – Councilman Benson/Councilwoman Kuncken** – Councilman Benson reported that the CFO has expanded some of the reports but he would like to see more with regard to collection dates. Councilman Benson stated that it seems collections for taxes are down this year. December figures will be important. Councilman Benson stated that he does not know what the effect the storm may have had. The rates are down about 4% from prior years which is concerning. The utility collections appear to be increased but the date details are not indicated. Tax collection needs to be monitored closely. There is a budgeting factor going into January that will affect us next year. Mayor Maio stated there has been a steady drop from the 1<sup>st</sup> quarter. Councilman Benson stated that the Borough needs to get a better handle on this issue for budgeting purposes. Mayor Maio asked Councilman Benson to obtain the corresponding

collection figures for 2011 to compare to the 2012 figures as opposed to just comparing the overall figures. Councilman Benson will ask the CFO to supply the quarterly information.

**Community Development – Councilmen Thornton/Graham**

**Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization** – Councilman Thornton had no report.

**Municipal Infrastructure – Councilmen Graham/Thornton**

**Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds** – Councilman Graham reported that he attended the BPU meeting at Hopatcong Middle School earlier today. All five members of the BPU were present and the discussion began with their point of view. They went over everything that occurred with Hurricane Sandy leading up to what the damages were. Mr. Lynch from JCP&L was in attendance. Councilman Graham stated that there were a lot of people not present at the meeting that he had expected to be there. Vic Morrata from Vernon, Gary Larson from Frankford, Mayor's Jerry Murphy and Sylvia Petillo were there along with some Council people and some people from Jefferson and Rockaway. The main issue again was that communication was paramount. Councilman Graham stated that everyone agreed that it did not matter what the towns were told if it did not mean anything. The towns got bad information and then it was passed along and made us look bad. The problems were the coordination with local governments and their priorities. Every town had the same comment. The towns supplied lists of priorities and those were the last things that were taken care of. The lists included schools, ambulances, fire departments and they were all last. Councilman Graham stated that he was of the opinion that Vernon had been in a better situation. The Vernon area serviced by Sussex Rural Electric was handled well but the area served by JCP&L was not. Councilman Graham stated the infrastructure needs improvement. All the linemen out working during the storm said the equipment is antiquated. Mr. Lynch from JCP&L took this under advisement. Councilman Graham stated that he asked for a grid map to be provided to the Borough's OEM. Mayor Maio stated that the Borough will be receiving a grid map from JCP&L. Councilman Graham stated that they were not forthcoming with that at the meeting.

Councilman Graham stated that generator back feed was another issue. JCP&L and BPU expressed major concerns about workers being sent out to remove trees because of how many generators and how many solar panels might be back feeding the system which could put people in jeopardy. Extreme caution needs to be exercised in this situation. Administrator McNeilly stated that the Borough did not send anyone out to do that. Councilman Graham stated that most people did not realize that even with the system being down there was a chance that a generator wired incorrectly or solar panels could be back feeding the system.

Councilman Graham reported that they also discussed the issue of service stations not being able to supply fuel during the outage. Councilman Graham suggested that the service stations be encouraged to install generators or an ordinance should be adopted that would require the service stations to have a generator connection so that they can pump during an emergency. The main reason for the gas shortage was that it could not be pumped. The representatives took all the information down and we will have to see what happens. Mr. Stein stated that a bill was introduced, almost immediately, but it did not make it mandatory for New Jersey stations to have a generator installed. The operators would be able to receive an interest free loan from the State to put generators in their stations. Florida has a State law that requires stations to have a backup power source. Mr. Stein is unsure where that bill stands right now but going forward he stated that the Borough could make this a requirement in the land use ordinance that facilities like that would be required to have a backup generation system. Councilwoman Kuncken asked if that could be required when the facility changes ownership. The Borough has two stations that recently changed owners. Mr. Stein replied that he would have to research that. Mayor Maio stated that the Borough is less likely to have a new station as opposed to one that will change ownership. Councilman Graham said Mr. Hanna stated at the meeting that even if the gas stations had a reverse hook up so that a generator could be wheeled on to the property and hooked up that could at least eliminate the problem that we experienced. Mayor Maio asked what size generator would be needed for that purpose. Administrator McNeilly stated that the computer systems would need to be included. Mr. Stein stated that it is not just the pumps. There are alarm systems, sensors, the tanks contain various components which have to be properly powered so the computers do not burn out and send false signals.

Councilman Graham stated these are all issues that need to be addressed in order for us to make progress and the one thing that every member of the board said is that we will see these types of storms and outages again and if something is not done we will experience this over and over again. This storm was not an anomaly. Mayor Maio stated there was a crew working recently at the corner of Maple Terrace and Brooklyn Road for several days on two different occasions. Mayor Maio stated that she spoke with them and they told her that pole is now up to date. Councilman Graham stated when Mr. Anderson attended the Borough's meeting, Councilman Depew, who worked for JCP&L, pointed out to him that our system was antiquated. That issue was reiterated over and over again. Mayor Maio stated that every man that was doing work on the lines, who was not from New Jersey, said they had never seen this before. What they were working on was put in place before their time. Councilwoman Kuncken stated this was what was said when they were here working last year too. Councilman Depew stated that he had spoken with one of the men while repairs were being made who was from Hartsdale, Alabama and he stated that he had never seen a storm run this way. Councilman Graham suggested that the Borough do something positive to improve communications. The Borough has experienced three extended shortages in the last four years. We have to find a way to get information out to the residents. Mayor Maio stated that the Nixle System and placing informational boards in the Borough will help. Councilwoman Kuncken stated that having the teams ready to go door to door when necessary will also be used to deliver information. Mayor Maio stated the Nixle System needs to be put in place as soon as possible in the new year. Councilman Graham stated that he spoke with people that used the Nixle System and although they felt like they were being lied to, at least they were receiving information. Councilwoman Kuncken stated that communication progress has to be made.

Councilwoman Kuncken stated that a discussion needs to be made during the budgeting process with regard to purchasing a generator on wheels. Councilwoman Kuncken is of the opinion that it is the Borough's responsibility to do that. In the event that the County has a generator to provide to the Fire Department, the generator on wheels could be used by the Ambulance Corp or the American Legion. The Governing Body has talked about this for a long time but it needs to be included in our capital for the next budget. Councilman Graham stated that the generator could also be used as a backup for the wells. Millennium Strategies was able to acquire five generators for Hopatcong Borough. Mayor Maio stated that this issue has been brought to the attention of Millennium Strategies. Councilwoman Kuncken stated that the Borough needs to purchase more than one. The generators would be used by emergency services and if a portion of the American Legion can be run by the generator the Borough would have use of a health inspected kitchen in order to feed people.

#### **Information Technology – Councilmen Depew/Benson**

**Acquisition of Hardware & Software, Technical Equipment Services, Telecommunication, Cable Television Franchise** – Councilman Depew reported that he, Councilman Benson and Administrator McNeilly met to discuss the quote from Navitend. The quote from Navitend was for \$8,500. At least two more quotes will be obtained. Mr. Stein stated at a cost of \$2,650, a minimum of two quotes are required. Administrator McNeilly stated that an email can be sent from his office to the two companies that are familiar with government related websites to request the quotes. Councilman Benson stated that he has a list of additional contacts and that he and Councilman Depew will meet to discuss this further.

#### **Boards/Commissions – Councilwoman Thistleton/Councilman Depew**

**Board of Health, Regional Planning Board, Environmental Commission, Musconetcong Sewerage Authority, Sanitation & Recycling, Recreation Commission, Shade Tree Commission, Land Use Board** – Councilwoman Thistleton reported that the Recreation Commission is going to meet with the Fire Department to talk about combining some of their activities.

Administrator McNeilly stated that he received a request from the Recreation Commission. They would like to have a Recreation email address on the Borough's system, stanhopenj.gov. The Recreation Commission has been running more trips and events and they are receiving responses by email. They would prefer to have this information go through a governmental email. Councilman Graham stated that the members need to know the emails are subject to OPRA requests. Administrator McNeilly stated that he has spoken with Mr. Stein and there are specific ways that the email would be handled. Mayor Maio asked Mr. Stein for his advice. Mr. Stein replied that he has no objection to providing the email. Mr. Stein stated that emails are

government records and fall under the Borough's retention policy. Some emails are fleeting and can be disposed of immediately while others need to be retained. The Recreation Commission would need training to understand that these are public open records. Councilwoman Kuncken stated they need to know also that they cannot conduct business among themselves using the email. Mayor Maio clarified with Administrator McNeilly that the Recreation Commission wants to use the email as a way to provide information. Administrator McNeilly stated that most people utilize emails and the members of the Recreation Commission do not want to use their personal email. Mayor Maio asked Administrator McNeilly to provide guidelines to the members of the Recreation Commission prior to the email being activated. Administrator McNeilly stated that email guidelines were written in 2008 after meeting with Albert Wagner at DARM. Mr. Stein stated that he checked with DARM two months ago and the same standards and operating procedures are in effect. The policy has not changed since 2008. Mayor Maio gave Administrator McNeilly approval to issue the email address. Mayor Maio asked Administrator McNeilly to copy the guidelines and distribute it to the Recreation Commission and the Governing Body.

Mayor Maio received a request from the Recreation Commission asking why they cannot have alternate members. They are running more activities and need more people to assist. There are people willing to help but the board is confined to five members. Mr. Stein stated that the Recreation Commission is a creature of statute. Mr. Stein will check the statute but he is of the opinion that no provision is made to allow for permanent alternate members. Councilwoman Kuncken stated that the people willing to help can do just that for certain events. They do not have to be members. Mr. Stein stated they could have ad-hoc members if they wanted. Councilman Benson asked if the commission can be expanded by ordinance. Mr. Stein stated that if the statute does not allow for it, you cannot change it.

### **COUNCIL BUSINESS**

*Cablevision Franchise Renewal Ordinance* – Mayor Maio stated that Mr. Stein has created a sample ordinance for review. Mr. Stein stated that the office of cable television website has a lengthy sample ordinance that has provisions, statutory references and administrative code references as to why it is there and what the source of the language is. There is another section called problematic which basically outlines what should not be included. The Borough did have some of these items from 2002 that were in the document but they have now been taken out. Mr. Stein stated that this ordinance includes everything that the office of cable television wants it to, but it has been customized for the grant that they are providing to the Borough. Mayor Maio referenced page 3 section C. Mr. Stein stated under the free service everything that the statute allows is included and what was previously provided has been left in, which was one high speed internet connection. This may be questioned but we can explain that to the office when they receive the paperwork. Councilman Graham asked who receives the free television service. Mr. Stein replied that any municipal building is covered which includes Borough Hall, DPW, Fire Department and Ambulance Corp. Every governmental, public building receives basic television service. The internet is paid separately. The ordinance states that any other services above and beyond will be paid for at the regular rate.

Mr. Stein stated the regulations provide that within 45 days of the date that the Borough commits to renewing the franchise the ordinance must be submitted to the office of cable television for their review and comment. After that it will be returned to the Borough and then we have a 30 day cycle to introduce and adopt. Mayor Maio stated that the ordinance covers the amount the Borough spoke of and the service that we are currently receiving is included. Councilman Graham asked if the Borough's high speed internet is provided and covered by Cablevision. Mayor Maio confirmed that it is. Councilman Graham asked if the Borough has a wireless modem. Administrator McNeilly confirmed that the Borough does have Wi-Fi access which is password protected. Mayor Maio stated that the access needs to be limited in order to protect Borough information. Administrator McNeilly stated that the only person with access is the CFO. Mayor Maio stated that the wireless needs to be set up so that in the event that someone wants to make a presentation by accessing the internet they will not be able to access our files. Administrator McNeilly stated that the system can be programmed to access the internet only. The Governing Body agreed to have the ordinance submitted to the office of cable television. Mr. Stein will work with the Clerk and submit the paperwork to the office of cable television.

2014 Reorganization Meeting – Mayor Maio stated that Janice Hunts has resigned from the Land Use Board as the Environmental Commission Representative. John Rogalo will be appointed as the representative. This is a new appointment for a new term. Administrator McNeilly asked what class that position is and if it has to be held by an Environmental Commission member. Mr. Stein stated that this is a Class IV position and if the Borough has an Environmental Commission it is required to have one member on the Land Use Board.

Mayor Maio stated the date for the Reorganization Meeting would fall on Wednesday, January 1, 2014 which means that traditionally the Governing Body would meet noon. Councilwoman Kuncken stated that in her opinion this does involve a holiday and it should be changed to a different day. The Council Chambers will be renovated and Councilwoman Kuncken is of the opinion that attendance is not what it used to be on New Year’s Day. Mayor Maio asked if the reorganization has to be done within 7 days. Mr. Stein stated that the statute is 10 days. Mayor Maio stated that if the reorganization takes place at the first regular meeting the date would be January 14th. Councilman Graham stated that in his opinion the meeting should be scheduled for the first Tuesday after the holiday. Mayor Maio stated that would be January 7<sup>th</sup>. The Governing Body agreed to schedule the 2014 Reorganization Meeting on January 7<sup>th</sup> at 7:00 PM. The Clerk stated that this will be included on this year’s reorganization meeting resolution. Mayor Maio asked the Clerk if the additional invitations were mailed. The Clerk replied that invitations have been sent to the former mayors, all employees and members of the boards and commissions.

### **OLD BUSINESS**

Mayor Maio offered the following ordinance for public hearing and final adoption.

#### **Ordinance 2012-21**

#### **AN ORDINANCE TO AMEND ARTICLE 1 OF CHAPTER 126 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “TAXI CABS” BY AMENDING SECTION 126-7 THEREOF TO ESTABLISH THE NUMBER OF TAXI CAB LICENSES FOR THE BOROUGH OF STANHOPE**

**WHEREAS**, the legislature has adopted P.L. 211 Chapter 135, which provides that a municipality shall determine by ordinance the number of taxi licenses available for issuance; and

**WHEREAS**, the Borough wishes to amend its Taxi Cab Ordinance to specifically provide for the number of taxi cab licenses available in the Borough;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Stanhope in the County of Sussex and State of New Jersey as follows:

#### **SECTION I.**

Section 126-7 “Term of License; Fee” is hereby repealed in its entirety and is revised to read as follows:

##### **Section 126-7 - Number of Licenses, Term of License, Fee**

- A. The number of taxi cab licenses that may be issued by the Borough of Stanhope is 3.
- B. Each license issued hereunder shall expire on the 31<sup>st</sup> day of December, following its issuance.
- C. The annual fee for taxi cab owners’ license shall be as provided for in Chapter 82, Fees.

#### **SECTION II. When Effective**

This ordinance shall take effect upon passage and publication as required by law.

Mayor Maio opened this portion of the meeting for public comment on this ordinance only.

Mayor Maio stated that the Borough is going to limit the number of taxi cabs to three.

Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

On motion by Councilman Graham, seconded by Councilwoman Kuncken, and carried by the following unanimous roll call vote, the foregoing ordinance was adopted.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton– yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

On motion by Councilwoman Kuncken, seconded by Councilman Graham, and unanimously carried by voice vote, the Mayor and Council instructed the Borough Clerk to post the ordinance, and authorized publication of same.

**NEW BUSINESS**

**RESOLUTIONS**

Mayor Maio offered the following resolutions which were read by title:

<b><u>Resolution 194-12</u></b>	<b>RESOLUTION AUTHORIZING A REFUND DUE TO A SUCCESSFUL STATE TAX APPEAL</b>
---------------------------------	---

WHEREAS, the following homeowner has had a successful State Tax Appeal for the year 2011; and

WHEREAS, the homeowner has already paid his 2011 and 2012 property taxes in full, and has authorized the issuance of a refund,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that a warrant be drawn to US Mineral Products Co., representing a refund of 2011 property taxes overpaid due to a successful New Jersey State Tax Court judgment as follows:

<u>Block</u>	<u>Lot</u>	<u>Name &amp; Address</u>	<u>Tax Year</u>	<u>Amount</u>
11202	5	US Mineral Products 41 Furnace Street Stanhope, New Jersey 07874	2011	\$15,780.89

On motion by Councilman Graham, seconded by Councilwoman Kuncken and carried by the following unanimous roll call vote, the foregoing resolution was duly adopted.

Councilman Depew asked if they go by the name of US Mineral Products. Mr. Stein confirmed that US Mineral Products is their official name. Councilwoman Kuncken stated she, Mayor Maio and Councilman Benson agree that this information should have been provided to the Governing Body prior to the meeting due to the amount of the refund. Mr. Stein stated that this was settled months ago and was unsure why it was being done now. Administrator McNeilly stated the order was dated December 7<sup>th</sup> but it was received after the meeting on the December 11<sup>th</sup> and therefore it has to be addressed at this meeting. Councilman Graham asked if these funds come from uncollected taxes. Mayor Maio confirmed this.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes



Mayor's Acceptance of Resignation

**Resolution 195-12**

**MAYOR'S ACCEPTANCE OF THE RESIGNATION OF  
MARIE JOZOWSKI FROM THE STANHOPE  
RECREATION COMMISSION WITH COUNCIL  
CONCURRENCE**

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Marie Jozowski' resignation as an appointed member on the Recreation Commission, effective December 31, 2012.

On motion by Councilwoman Kuncken, seconded by Councilman Depew and unanimously carried by voice vote, the foregoing resolution was duly adopted.

Mayor Maio stated that Marie Jozowski has done an outstanding job, not only with regard to organizing and running the activities of the Recreation Commission, but she has done a great deal of work on her own. Mrs. Jozowski has developed a good group of members this year for the Recreation Commission and she is going to remain on the Municipal Alliance. Mayor Maio stated that it is with regret that she accepts this resignation. Councilwoman Kuncken stated that the members of the Recreation Commission need to be informed about how the summer recreation program is handled. Councilwoman Thistleton replied that Marie has done this already. Mayor Maio stated that in the past two years the summer recreation program has done very well. The program will still be coordinated through the Municipal Alliance. Councilman Graham stated that he has worked with Marie on many occasions, has great respect for her and Marie will be missed on the Recreation Commission. The Governing Body wishes her well and hopes that she may return to the Commission in the future.

**PAYMENT OF BILLS**

**Resolution 196-12**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF STANHOPE AUTHORIZING PAYMENT  
OF BILLS**

**WHEREAS**, the Chief Finance Officer has certified that funds are available in the proper account; and

**WHEREAS**, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the current bills list, dated December 18, 2012 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

On motion by Councilman Benson, seconded by Councilwoman Kuncken and carried by the following unanimous roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

**ATTORNEY REPORT**

Mr. Stein had no report.

**CITIZENS TO BE HEARD**

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Don Drake asked where the name plates are going to be placed on the new dais. Administrator McNeilly explained that the name plates will slide into a rail that will be set on the front of the dais.

Seeing no one further from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Mayor Maio wished everyone a safe and Merry Christmas.

**ADJOURNMENT**

On a motion by Councilman Depew, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 9:03 P.M.

Approved:

Linda Chirip  
Deputy Clerk  
For Ellen Horak  
Borough Clerk